

App. No. 09/788,329
Amendment Dated: December 26, 2006
Reply to Office Action of October 26, 2006

REMARKS/ARGUMENTS

Claims 1-20 remain in this application for further consideration. Independent claims 1, 7, and 14 have been amended to make a minor clarification. Applicants assert that the changes do not require further searching in that they were made to clarify features already associated with the claims.

I. Examiner Interview Dated November 29, 2006

An Interview was held with Examiner Nash on November 29, 2006. During the interview, steps to move prosecution forward were discussed. Even though an agreement as to allowability was not reached, applicants believe that it was agreed that the amendments herein distinguish the cited references. In particular, the teaching of the Josse reference was discussed and the amendments to the independent claims were discussed in view of Smith.

II. Rejection of claims 1-20 under 35 U.S.C. 103(a)

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,333,973 issued to Smith et al. (hereinafter "Smith") in view of U.S. Patent 6,443,159 issued to Josse et al. (hereinafter "Josse"). Applicants respectfully disagree with the rejection. Applicants assert that Smith and Josse pertain to very different inventions than that of the current application. Independent claim 1 includes the following combination of elements that are not taught or otherwise suggested by the cited references:

providing a plurality of prioritized providers on the mobile device, wherein each provider is associated with a message type;

receiving a message on the mobile device;

routing, on the mobile device, the message to the plurality of prioritized providers on the mobile device, wherein the provider with the first highest priority receives the message first;

routing the message to the provider with the second highest priority when the provider with the first highest priority does not recognize the message type;

associating the message with at least one of the plurality of prioritized providers when the at least one of the plurality of prioritized providers recognizes the message type; and

App. No. 09/788,329
Amendment Dated: December 26, 2006
Reply to Office Action of October 26, 2006

informing an application of the mobile device and associated with the provider that the message is waiting without the application sending a query to receive an indication that the message is waiting.

Applicants assert that the above combination of elements are not taught or otherwise suggested by the cited references. The emphasized portions above are to point out a few distinguishing features of the claim. Smith teaches a system as shown in FIGURE 1. The network services provider 1200 is depicted in further detail in FIGURE 5. The system in FIGURE 5 is not part of a mobile device. Smith teaches that the network service provider 1200 is a data store that stores messages awaiting retrieval by the mobile device. The network service provider 1200 is external to the mobile device. When a user desires retrieving waiting messages the user connects with the network service provider to retrieve the messages. For example, during operation Smith teaches as follows:

When a caller uses telephone 1300 to communicate with the user, the caller dials the telephone number corresponding to mobile telephone 1100. If the user does not answer the call for a predetermined number of rings, or upon direction of the user (to be described), the call routes to network services provider 1200 over GSM switching fabric 1800 by conventional mechanisms. Network services provider 1200 stores the message left by the caller as voice mail and sends a short message to mobile telephone 1100, notifying the user of the pending voice mail message. *Smith*, at col. 4, lines 15-25.

Smith also teaches that the user communicates with the network services provider to retrieve the pending messages. *See Smith*, at col. 7, lines 1-2. Smith teaches a distributed system where routing takes place on the network services provider that is external to the mobile device. Smith does not pertain to *routing on the mobile device for messages received by the mobile device*. Smith does not teach "providing a plurality of prioritized providers on the mobile device." Also, Smith does not teach "routing, on the mobile device, the message to the plurality of prioritized providers on the mobile device, wherein the provider with the first highest priority receives the message first." Again, Smith teaches an external system for the purpose of routing and categorizing transmissions.

Furthermore, Josse does not teach prioritized provides as asserted in the Office Action. Josse teaches routing messages in a network. Josse teaches that the messages are prioritized. *Josse*, at col. 3 lines 25-29; col. 4, lines 55-57. Josse does not teach that the providers are

App. No. 09/788,329
Amendment Dated: December 26, 2006
Reply to Office Action of October 26, 2006

prioritized as recited in independent claim 1. Accordingly, applicants assert that claim 1 distinguishes the references and that no further searching is required.

Independent claim 7 includes the following combination of features that are not taught or suggested by the cited references:

receiving a message, on the mobile device, having a message type indicated by a character sequence in the message;

routing the message to a first prioritized provider on the mobile device from a list of prioritized providers on the mobile device;

associating the message with the first prioritized provider when the first prioritized provider recognizes the character sequence, wherein an application of the mobile device and associated with the first prioritized provider is informed that the message is waiting without the application sending a query to receive an indication that the message is waiting; and

routing the message to a second prioritized provider when the first prioritized provider does not recognize the character sequence.

Applicants assert that the above combination of features is not taught or suggested by the cited references. As previously stated, the system in Smith is external to the mobile device and relates to routing and categorizing messages for storage and later retrieval by the mobile device. Also previously stated, Josse teaches prioritized messages, not prioritized providers. Accordingly, applicants assert that claim 7 distinguishes the references and that no further searching is required.

Independent claim 14 includes the following combination of features that are not taught or suggested by the cited references:

a routing device operating under the control of the operating environment and operative to perform actions, including:

receiving a message on the mobile device having a provider indicator;

routing the message until at least one provider on the mobile device recognizes the provider indicator, wherein the message is routed according to a priority level of the provider, wherein the provider having the first highest level of priority receives the message first, and wherein the message is routed to a provider having a second highest level of priority when the provider having the first highest level of priority does not recognize the provider indicator;

App. No. 09/788,329
Amendment Dated: December 26, 2006
Reply to Office Action of October 26, 2006

associating the message with at least one provider when the at least one provider recognizes the provider indicator;

delivering the message to an application of the mobile device and associated with the at least one provider when the at least one provider recognizes the provider indicator, wherein the application is informed that the message is waiting without the application sending a query to receive an indication that the message is waiting.

Applicants assert that the above combination of features is not taught or suggested by the cited references. As previously stated, the system in Smith is external to the mobile device and relates to routing and categorizing messages for storage and later retrieval by the mobile device. Also previously stated, Josse teaches prioritized messages, not prioritized providers. Accordingly, applicants assert that claim 14 distinguishes the references and that no further searching is required.

Independent claim 20 includes the following combination of features that are not taught or suggested by the cited references:

providing a plurality of providers on the mobile device, wherein each provider is associated with a message type and at least one application of the mobile device;

prioritizing the plurality of providers, wherein the plurality of providers are prioritized from a high priority to a low priority;

receiving at least one message including a provider character sequence;

routing the at least one message to the prioritized plurality of providers until one of the plurality of providers recognizes the provider character sequence, wherein the message is routed to each of the providers in order of priority;

Applicants assert that the above combination of features is not taught or suggested by the cited references. As previously stated, the system in Smith is external to the mobile device and relates to routing and categorizing messages for storage and later retrieval by the mobile device. Also previously stated, Josse teaches prioritized messages, not prioritized providers. Accordingly, applicants assert that claim 20 distinguishes the references and that no further searching is required.

Regarding dependent claims 2-6, 8-13, and 15-19, those claims include features not taught or suggested by the cited references. Moreover, the dependent claims ultimately depend

App. No. 09/788,329
Amendment Dated: December 26, 2006
Reply to Office Action of October 26, 2006

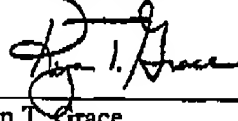
from independent claims 1, 7 and 14, respectively. As such, they are thought allowable for at least the same reasons set forth above.

III. Request for Reconsideration

In view of the above amendments and remarks, applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.



Ryan T. Grace
Registration No. 52,956
Direct Dial: 206.342.6258

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200

